

## REMARKS

Applicants respectfully request reconsideration of this application as amended. Claims 1-8, 9-12, 14-18 and 21 have been amended. Claims 13 and 19-20 have been cancelled without prejudice. New claims 22-39 have been added. Therefore, claims 1-12, 14-18 and 21-39 are now presented for examination.

### 35 U.S.C. § 103 Rejection

#### **Epinions.com Preview in view of Scharber et al.**

Claims 1-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Epinions.com Preview, 1999 Epinions, Inc. (“Epinions.com”) in view of Scharber et al., U.S. Patent No. 6,374,290 (“Scharber”).

Epinions.com discloses allowing consumers “to write about products [they] love or hate . . . [and they] get to *rate the usefulness of anyone’s opinion*” (page 2; emphasis provided). Epinions.com further discloses “[b]uilding [a] Web of Trust” by “*rat[ing] reviews*” (page 5; emphasis provided). Stated differently, Epinions.com discloses *rating opinions and articles* and building a Web of Trust *using such rating*, which is not the same as rating a particular user, e.g., deriving one or more community ratings for a particular user as recited by claim 1.

Scharber discloses assigning “a first *group rating* . . . to the first *virtual community* . . . [and] to a first *set of article groups*” (Abstract; emphasis provided). Scharber further discloses “allow[ing] the *establishment of virtual communities*” so that the “[c]lients can be *grouped into self selected virtual communities*” (col. 3, lines 36-38; emphasis provided).

Clients of a particular virtual community are then allowed to “*rate or filter discussion groups*” and “set their own *group filtering and rating* preferences” (col. 3, lines 14-16 and 40-41; emphasis provided). Stated differently, Scharber discloses creating and *rating communities and groups* for filtering purposes, which is not the same as rating a particular user, e.g., deriving one or more community ratings for a particular user as recited by claim 1.

Furthermore, with regard to Schraber, in the Advisory Action, mailed July 18, 2003, the Examiner points out that “[i]f the community is given a particular rating, then each user in that community would have that community rating” (Advisory Action, mailed July 18, 2003, page 2). The Examiner then provides an example that “if the ‘3As’ group was given a 6 and Alex, Amanda, and Alice, were part of that group, then Alex would have a 6 as his community rating” (Advisory Action, mailed July 18, 2003, page 2).

As an initial matter, Applicants submit that Schraber, as discussed above, discloses *rating communities and groups* for rating and filtering discussion groups, and does not teach or reasonably suggest rating a particular user as recited by claim 1. However, for discussion purposes, to the extent Schraber discloses rating a particular user, using the example provided by the Examiner in the Advisory Action, each of the users in the group will *inherently have the same rating*, i.e., the rating of the group. Stated differently, using the Examiner’s example, Alex, Amanda, Alex will all have a rating of 6, which is the rating of the group ‘3As.’ Each member of the group *having an identical rating*, i.e., the rating of the group, is not the same as, for example, Alex, Amanda, and Alex each having their own individual one or more community ratings as recited by claim 1. At best, Schraber discloses *one rating for an entire group* and does not teach or reasonably suggest deriving one or more

community ratings for a particular user as recited by claim 1. Hence, Schraber adds nothing relevant to Epinions.com with regard to claim 1.

In contrast, claim 1, as amended, recites:

A method, comprising:

associating one or more characteristic values with each user of a plurality of users, the one or more characteristic values representing an individual rating associated with each user; and

deriving one or more community ratings for a particular user by utilizing the one or more characteristic values associated with the particular user.  
(emphasis provided)

Epinions.com and Scharber, neither individually nor when combined, teach or reasonably suggest deriving one or more community ratings for a particular user as recited by claim 1. Accordingly, Applicants respectfully request that the rejection to claim 1 and its dependent claims be withdrawn.

With regard to independent claim 14, it contains limitations similar to those of claim 1. Accordingly, Applicants respectfully request that the rejection to claim 14 and its dependent claims be withdrawn.

With regard to new independent claims 22, 28 and 33, they contain limitations similar to those of claim 1. Accordingly, Applicants respectfully submit that new independent claims 22, 28 and 33 and their dependent claims are allowable over the cited references.

### **Conclusion**

Applicants submit that claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request that the rejections be withdrawn and the application be allowed.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

The Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

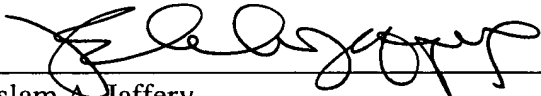
### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: August 20, 2003

  
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